



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION VIII

999 18th STREET - SUITE 500
DENVER, COLORADO 80202-2466

MAY - 2 1994

Ref: 8WM-DW

Jon R. Rice, M.D.
State Health Officer
North Dakota State Department of Health and
Consolidated Laboratories
1200 Missouri Avenue
P.O. Box 5520
Bismarck, North Dakota 58502-5520

Dear Dr. Rice:

North Dakota's Public Water System Supervision Program, administered by the Division of Municipal Facilities, has completed all the necessary steps for program revision in order to comply with the Environmental Protection Agency's (EPA) Lead and Copper Rule (LCR). The purpose of this letter is to officially notify you of EPA's approval of North Dakota's primacy revision for the LCR. North Dakota is the first state in Region VIII to receive EPA approval for the LCR. I commend your staff's efforts to bring about this success.

A *Federal Register* notice of this determination is scheduled for publication in May 1994. In addition, Federal regulations, 40 CFR §142.13, require that a notice of this determination be printed in newspapers of general circulation, and that an opportunity for a public hearing be provided. Such a notice shall be published in three North Dakota newspapers on or around the same date as the *Federal Register* notice.

If a public hearing is held, the record of the hearing shall be thoroughly reviewed and an order shall be issued either affirming or rescinding the determination. If the determination is affirmed, it shall become effective as of the date of the order. If no valid request for a public hearing is received, this determination shall become effective thirty (30) days after the *Federal Register* notice is published.

Sincerely,

William P. Yellowtail
Regional Administrator

cc: Patrick Crotty, 8WM-DW
Dale Murphy, 8WM-DW



Printed on Recycled Paper

below will provide certain services to EPA Region III, including: (1) Information management support services for the operation of a file room and an administrative records room in Philadelphia, Pennsylvania; (2) compilation and organization of documents and information; and (3) review and analysis of documents and information. In performing these tasks, employees of the contractors and subcontractors listed below will have access to Agency documents for purposes of document processing, filing, abstracting, analyzing, inventorying, retrieving, tracking, etc. The documents to which these contractors and subcontractors will have access potentially include all documents submitted under the Comprehensive Environmental Response, Compensation and Liability Act. Some of these documents may contain information claimed as confidential business information ("CBI").

Pursuant to EPA regulations at 40 CFR part 2, subpart B, EPA has determined that these contractors and subcontractors require access to CBI to perform the work required under the contracts and subcontracts. These regulations provide for five days notice before contractors are given CBI. This notice is intended to provide notice of all disclosures of such information by EPA Region III to the contractors and subcontractors listed below.

All of the listed contractors and subcontractors are required by contract to protect confidential information. When the contractors' and subcontractors' need for the documents is completed, the contractors and subcontractors will return them to EPA. The contractors and subcontractors to which this notice applies are as follows:

Contractor/subcontractor	Contract No.
Booz-Allen & Hamilton, Inc.	#68-W4-0010
Subcontractors:	
Dynamac Corporation	
CDM Federal Programs Corporation	
PRC Environmental Management, Inc.	
CACI, Inc.	
Investigative Consultant Services, Inc.	
Northeast Investigations	
Tri-State Enterprises	
Hydraulic & Water Resources Engineers, Inc.	

Dated: May 10, 1994.
 Thomas C. Voltaggio,
 Director, Hazardous Waste Management,
 Division, EPA Region III.
 [FR Doc. 94-12773 Filed 5-24-94; 8:45 am]
 BILLING CODE 6560-50-M

[FRL-4887-9]

**Public Water System Supervision
 Program Revision for the State of
 North Dakota**

AGENCY: Environmental Protection
 Agency (EPA).
 ACTION: Notice.

SUMMARY: Public notice is hereby given in accordance with the provisions of section 1413 of the Safe Drinking Water Act as amended, 42 U.S.C. 300g-2, and 40 CFR part 142, subpart B-Primary Enforcement Responsibility, that the State of North Dakota has revised its Public Water System Supervision (PWSS) Primacy Program. North Dakota's PWSS program, administered by the North Dakota Division of Municipal Facilities, has adopted regulations for lead and copper that correspond to the National Primary Drinking Water Regulations (NPDWR) in 40 CFR part 141 for lead and copper promulgated by EPA on June 7, 1991 (56 FR 26460-26564). The Environmental Protection Agency (EPA) has completed its review of North Dakota's primacy revision and has determined that it is no less stringent than the NPDWR for lead and copper. EPA therefore approves North Dakota's primacy revision for the Lead and Copper Rule. This determination shall become effective June 24, 1994.

Any interested parties are invited to submit written comments on this determination, and may request a public hearing on or before June 24, 1994. If a public hearing is requested and granted, this determination shall not become effective until such time following the hearing that the Regional Administrator issues an order affirming or rescinding this action.

Requests for a public hearing should be addressed to: William P. Yellowtail, Regional Administrator, c/o Marty Swickard (8WM-DW), U.S. Environmental Protection Agency, Region VIII, 999 18th Street, suite 500, Denver, CO 80202-2466.

Frivolous or insubstantial requests for a hearing may be denied by the Regional Administrator. However, if a substantial request is made within thirty (30) days after this notice, a public hearing will be held.

Any request for a public hearing shall include the following: (1) The name,

address, and telephone number of the individual, organization, or other entity requesting a hearing; (2) a brief statement of the requesting person's interest in the Regional Administrator's determination and of information that the requesting person intends to submit at such hearing; and (3) the signature of the individual making the request, or, if the request is made on behalf of an organization or other entity, the signature of the responsible official of the organization or other entity.

Notice of any hearing shall be given not less than fifteen (15) days prior to the time scheduled for the hearing. Such notice will be made by the Regional Administrator in the Federal Register and in newspapers of general circulation in the State of North Dakota. A notice will also be sent to the person(s) requesting the hearing as well as to the State of North Dakota. The hearing notice will include a statement of purpose, information regarding time and location, and the address and telephone number where interested persons may obtain further information. The Regional Administrator will issue an order affirming or rescinding his determination upon review of the hearing record. Should the determination be affirmed, it will become effective as of the date of the order.

Should no timely and appropriate request for a hearing be received, and the Regional Administrator does not elect to hold a hearing on his own motion, this determination shall become effective on June 24, 1994. Please bring this notice to the attention of any persons known by you to have an interest in this determination.

All documents relating to this determination are available for inspection at the following locations: (1) USEPA Region VIII, Drinking Water Branch, 999 18th Street (4th floor), Denver, Colorado; (2) North Dakota State Department of Health and Consolidated Laboratories, 1200 Missouri Avenue, P.O. Box 5520, Bismarck, North Dakota 58502-5520.

FOR FURTHER INFORMATION CONTACT:
 Marty Swickard, Drinking Water Branch, EPA Region VIII (8WM-DW), 999 18th Street, suite 500, Denver, Colorado 80202-2466, telephone (303) 293-1629.

Dated: May 13, 1994.
 William P. Yellowtail
 Regional Administrator, EPA, Region VIII.
 [FR Doc. 94-12772 Filed 5-24-94; 8:45 am]
 BILLING CODE 6560-50-F



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION VIII

999 18th STREET - SUITE 500
DENVER, COLORADO 80202-2466

Ref: 8WM-DW

MEMORANDUM

SUBJECT: ORC Concurrence on North Dakota's Final Primacy
Revision for the Lead and Copper Rule

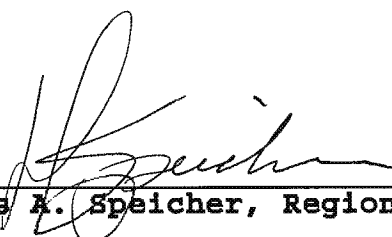
FROM: Doris E. Sanders, Chief
Public Water Supply Program Section

TO: David Schachterle, Chief
Air/Water/General Law Section
Office of Regional Counsel

North Dakota has submitted a complete primacy revision for the Lead and Copper Rule (LCR). Upon review of this primacy revision, the Public Water Supply Program (PWSP) Section has found it no less stringent than the federal regulation. Therefore, the PWSP Section approves North Dakota's LCR.

We would appreciate your review and concurrence of this submittal by April 15, 1994. If you agree with the PWSP's determination please have the Regional Counsel sign below (the Acting General Counsel has delegated this to Regional Counsel in a memorandum dated August 19, 1992, and has asked Regional Counsel to personally concur). If you have any questions please call Marty Swickard at x1629. Thank you.

The undersigned concurs with the PWSP Section's determination to approve North Dakota's primacy revision for the LCR.



Thomas A. Speicher, Regional Counsel

4/6/94

Date

Attachments

cc: Wayne D. Kern, NDDHCL
Pat Crotty, 8WM-DW
Marty Swickard, PWSP



Printed on Recycled Paper

ED_002434_00001923-00003